

REMARKS

The application has been reviewed in light of the final Office Action dated September 5, 2007. Claims 23-40, 42-44 are pending, with claims 1-22 and 41 having previously been canceled, without prejudice or disclaimer. By this Amendment, claims 23-25, 30, 36, 42 and 43 have been amended to place the claims in better form for examination and to clarify the claimed subject matter. Accordingly, claims 23-40, 42-44 are presented for reconsideration, with claims 23-25, 30, 36, 42 and 43 being in independent form.

Claims 23-40 and 42-44 were rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over U.S. Patent No. 7,124,099 to Mesaros in view of U.S. Patent No. 6,078,897 to Rubin.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 23-25, 30, 36, 42 and 43 are patentable over the cited art, for at least the following reasons.

This application relates to techniques for promoting product sales.

In particular, applicant devised improved techniques wherein display information to be delivered to the customer side is changed in accordance with specified quantity of a specified product in an order entered by the customer side. For example, when the specified quantity meets or exceeds a minimum quantity, an appropriate promotion can be displayed to entice the customer to revise the order to make an additional purchase. Each of independent claims 23-25, 30, 36, 42 and 43 addresses these features, as well as additional features.

Mesaros does not involve such display of promotion information after an order is entered.

Mesaros, as understood by Applicant, proposes a system wherein a registered seller can set up a deal room with a volume pricing structure for a product. The pricing structure is

established by the seller completing a product information sheet, such as shown in Mesaros, Fig. 13. The volume pricing structure set forth in the product information sheet is presented in the deal room, such as shown in Fig. 4.

Such display information proposed in Mesaros does not change for a buyer, even after the buyer has entered an order. Instead, in the system proposed in Mesaros, a buyer obtains a final per unit purchase price (that is equal to or lower than the per unit price based on the buyer's order alone) depending on the total quantity collectively ordered by all buyers during the pre-established time period for the deal room. Thus, the end result may be that the buyer pays a lower price without taking any additional action, than when the buyer placed the order.

Mesaros simply does not teach or suggest *changing display information to be delivered to the customer side in accordance with the specified quantity of the specified product*, wherein if the specified quantity of the initial product order is equal to or greater than the minimum quantity, display information for a promotion screen containing information regarding a selected promotion which is functionally related to the initial product order and is contingent on a revision of the order by the customer to make an additional purchase is delivered to the customer side, and if the specified quantity of the initial product order is less than the minimum quantity, the initial product order received from the customer side is processed and no promotion information is delivered to the customer side.

The Office Action equates the product information sheet with display information for a promotion screen delivered to the customer side if the specified quantity of the order placed by the customer side is equal to or greater than the minimum quantity.

However, as previously noted, the product information sheet shown in Mesaros, Fig. 13 is completed by a seller for opening a deal room and the pricing structure information therein is

presented to the customer side, as is, regardless of whether the customer side has placed an order. Further, even if the customer places an order of “0” quantity or places no order at all, the pricing structure information is displayed once the customer arrives in the deal room.

Rubin, like Mesaros, does not make a distinction, for determining whether a promotion is to be displayed, between orders above a minimum quantity and orders below the minimum quantity. In Rubin, a promotion is always displayed when an order is placed, to induce the customer to buy more. On the other hand, Mesaros does not propose displaying promotions after an order has been placed by the customer side.

Accordingly, even if it would have been obvious to modify the system of Mesaros based on the proposals of Rubin, the modified system would have been a deal room system in which a promotion is always displayed after an order is placed.

The combination of Mesaros and Rubin, contrary to the contention in the Office Action does not disclose or suggest, however, of changing display information to be delivered to the customer side in accordance with the specified quantity of the specified product, wherein if the specified quantity of the initial product order is equal to or greater than the minimum quantity, display information for a promotion screen containing information regarding a selected promotion which is contingent on the customer making an additional purchase is delivered to the customer side, and if the specified quantity of the initial product order is less than the minimum quantity, the initial product order received from the customer side is processed and no promotion information is delivered to the customer side, as provided by claim 22.

Independent claims 24, 25, 30, 36, 42 and 43 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that

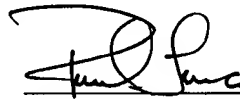
independent claims 23-5, 30, 36, 42 and 43, and the claims depending therefrom, are patentable over the cited art.

In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

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